

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MATTHEW R. SCHUMACHER and
SHAUN MATZ,

Petitioners,

ORDER

08-cv-228-slc

v.

MATTHEW FRANK, DAN WESTFIELD,
PHIL KINGSTON, MIKE THURMER,
DON STRAHOTA, DANIEL BRAEMER,
LT. GREFF, DEBRA GEMPLER, GARY
ANKARLO, GEORGE KAEMMERER,
CHARLES GRISDALE, JEFF GARBELMAN,
WILLIAM POLLARD, MICHAEL BAENEN,
PETE ERICKSON, STEVEN SCHMIDT,
MARTHA BREEN, ROBERT MCQUEENY,
MICHAEL VANDENBROOK, TRAVIS
BIDDELMAN, C.O. VASOS, SGT.
STEWART and JOHN DOES I,

Respondents.

On March 11, 2008, The Hon. Barbara B. Crabb entered the following order:

During the period of Judge Shabaz's convalescence and rehabilitation following his shoulder injury, 50% of all civil cases filed in this district, with the exception of social security appeals, bankruptcy appeals, federal collection and foreclosure actions and motions brought pursuant to 28 U.S.C. § 2255 will be assigned at random to United States Magistrate Judge Stephen L. Crocker for all purposes, including trials and the entry of judgment, unless counsel advise the court in writing that they do not consent to his exercising such jurisdiction. If consent is withheld, the magistrate judge will continue to handle pretrial matters in all civil cases. As 28 U.S.C. § 636 provides, the parties are free to withhold their consent without any adverse substantive consequences. Neither the judge nor magistrate judge will know whether all parties or only one withheld consent.

Upon Judge Shabaz's return, he will assume responsibility for all cases assigned to the magistrate judge except those that the magistrate judge is handling by consent.

This order applies equally in prisoner cases. Because this case has been assigned to me, I will exercise jurisdiction over all aspects of the case, including issuance of a screening order as required under 28 U.S.C. §§ 1915(e)(2) and 1915A, unless one or both parties withholds consent. Consent may be withheld by submitting the attached declination form to the clerk of court within twenty-one (21) days of the date of this order.

Entered this 1st day of May, 2008.

BY THE COURT:

/s/
STEPHEN L. CROCKER
Magistrate Judge

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DECLINATION TO PROCEED BEFORE A U.S. MAGISTRATE JUDGE

Pursuant to the order of The Hon. Barbara B. Crabb dated March 11, 2008, United States Magistrate Judge Stephen Crocker has been designated to conduct all proceedings in this civil matter, including screening the complaint, deciding dispositive motions, conducting trial and entering final judgment. The undersigned party declines to consent to the assignment of Magistrate Judge Stephen Crocker for these purposes, understanding that even if consent is

withheld, the magistrate judge will continue to handle pretrial matters.

Date: _____

Signature

(Attorney for defendant or Pro Se)

THIS FORM SHALL NOT BE FILED ELECTRONICALLY. MAIL BY THE DATE SPECIFIED IN THE ATTACHED ORDER TO THE CLERK OF COURT AT P.O. BOX 432, MADISON, WI, 53701.